

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	No. 4:18CR00189 NCC
)	
STEVEN ALLEN,)	
)	
Defendant.)	

MOTION TO DISMISS THE INFORMATION

Comes now the United States of America, by and through its attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri and Tracy Lynn Berry, Assistant United States Attorney for said district, and requests that this Honorable Court dismiss the pending information.

On March 6, 2018, a misdemeanor criminal information was filed charging the defendant with threatening employees of the Social Security Administration. DCD 1. Two days later, the United States requested that this Honorable Court commit defendant to the custody of the Bureau of Prisons Federal Medical Center for a determination of his competency to proceed. DCD 5. This Honorable Court granted the government's motion on March 15, 2018. DCD 10.

As a result of a report submitted by representatives of the Federal Medical Center, defendant was deemed that he was incompetent to proceed to trial by reason of a mental disease or defect by this Honorable Court. DCD 18. After further commitment within the Bureau of

Prisons, its medical staff found that defendant could not be restored to competency, but that defendant does not pose a danger to himself or to others within the institutional setting.

In view of defendant's continued mental incompetency, his lack of a history of violence to others, his limited criminal history, and the additional findings set forth in the report by the Federal Medical Center, the government moves to dismiss the pending information against the defendant.

Accordingly, the United States moves to dismiss above-styled information because defendant suffers from a mental disease or defect that renders him mentally incompetent to proceed with the charges set forth in the information.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

s/ Tracy Lynn Berry
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CERTIFICATE OF SERVICE

I, TRACY L. BERRY, Assistant United States Attorney for the Eastern District of Missouri, hereby certify that a copy of the foregoing pleading has been sent through the court's electronic case filing system to: Melissa Goymerac, Esq.

This 25th day of February, 2019.

s/ Tracy L. Berry
TRACY L. BERRY
Assistant United States Attorney

SO ORDERED:

NOELLE G. COLLINS
UNITED STATES MAGISTRATE JUDGE

Date: _____